



Docket No. 23623-7060

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[] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m. p.m.

Dated: June 21, 2002 Name of Person Certifying: [Signature]
Printed Name: Mary K. Zimmerman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Volker Schellenberger et al.
Filing Date: October 10, 2001
Serial No.: 09/975,139
Title: INFORMATION RICH LIBRARIES

Assignee: Genencor International, Inc.
Examiner: Not Yet Assigned
Group Art Unit: 1645

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Commissioner for Patents
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Forms PTO-1449a and PTO-1449b are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1189, Docket No. 23623-7060 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached Forms PTO-1449a and PTO-1449b are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: _____.
- ☐ Copies of those items which are marked with an asterisk (*) in the attached Form PTO-1499 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. _____, filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).
- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☐ A concise explanation of relevance of the items listed on Forms PTO-1449a and PTO-1449b is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign

patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached forms PTO-1449a and PTO-1449b with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1189, Docket No.: 23623-7060 for any additional fees required in connection with the filing of this Information Disclosure Statement.

DATE: 6/14/02

Respectfully submitted,

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David W. Maher
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number 09/975,139
 Filing Date October 10, 2001
 First Named Inventor Volker Schellenberger, et al.
 Art Unit 1645
 Examiner Name Not Yet Assigned
 Attorney Docket Number 23623-7060

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number – Kind Code ² (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US-5,565,332	10-15-96	Hoogenboom et al.	
	2	US-5,571,698	11-05-96	Ladner et al.	
	3	US-5,698,426	12-16-97	Huse	
	4	US-5,723,323	03-03-98	Kauffman et al.	
	5	US-5,830,721	11-03-98	Stemmer et al.	
	6	US-5,863,787	01-26-99	Chang et al.	
	7	US-5,922,545	07-13-99	Mattheakis et al.	
	8	US-6,093,573	07-25-00	Beamer et al.	
	9	US-6,107,059	08-22-00	Hart	
	10	US-6,114,149	09-05-00	Fry et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	11	WO 91/19813	12-26-91	The University of Colorado Foundation, Inc.		
	12	WO 92/05285	04-02-92	Fred Hutchinson Cancer Research Center		
	13	WO 92/14843	09-03-92	Gilead Sciences, Inc.		
	14	WO 00/46344 A3	08-10-00	Diversa Corporation		

Examiner's
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

+ Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 3

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Application Number 09/975,139
 Filing Date October 10, 2001
 First Named Inventor Volker Schellenberger, et al.
 Art Unit 1645
 Examiner Name Not Yet Assigned
 Attorney Docket Number 23623-7060

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

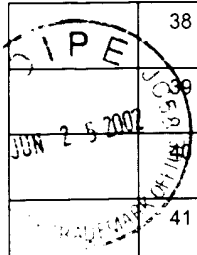
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	15	Search Report Dated February 25, 2002	
	16	ADACHI, J. and M. HASAGAWA "Model of Amino Acid Substitution in Proteins Encoded by Mitochondrial DNA" <i>J. Mol. Evolution</i> (1996) 42:459-468	
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	31	GÖBEL, U. et al. "Correlated Mutations and Residue Contacts in Proteins" <i>Proteins</i> (1994) 18:309-317	
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	38	TOMANDL, D. et al. "Optimizing doped libraries by using genetic algorithms" <i>J. Comp.-Aided Molec. Design</i> (1997) 11:29-38	
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Examiner's Signature	Date Considered		

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached

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